

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 79-140

ORDER RESCINDING ORDER NO. 71-34, ISSUED TO CITY OF
MILL VALLEY, ALTO SANITARY DISTRICT, KAY PARK SEWER
MAINTENANCE DISTRICT, ALMONTE SANITARY DISTRICT, AND
HOMESTEAD VALLEY SANITARY DISTRICT, MARIN COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region
(hereinafter Board) finds:

1. On February 25, 1971, the Board adopted Order No. 71-13 prescribing discharge requirements covering the discharge of City of Mill Valley from the City's sewage treatment plant and the total sewer service area.
2. On June 24, 1971, the Board adopted Cease and Desist Order No. 71-34 requiring City of Mill Valley, Alto Sanitary District, Kay Park Sewer Maintenance District, Almonte Sanitary District and Homestead Valley Sanitary District (hereinafter sewerage entities) to stop bypassing and to complete a conceptual plan and submit a schedule for achieving compliance with requirements in Order No. 71-13.
3. The sewerage entities made improvements in the treatment plant and sewer systems.
4. In 1975 the Board adopted a Water Quality Control Plan for the San Francisco Bay Basin which prohibited discharge to Richardson Bay. In cooperation with other public agencies, the sewerage entities developed the Eastern Marin-Southern Sonoma Wastewater Management Plan. It recommended transport of the sewerage entities' treated waste to Raccoon Strait for disposal.
5. In cooperation with other public agencies, the sewerage entities adopted a final Environmental Impact Report on September 17, 1979, in accordance with California Environmental Quality Act (Public Resources Code Section 21000 et seq.). Proper construction control to minimize marsh damage, odor control and compliance with waste discharge requirements are expected to mitigate adverse impact of the sewerage entities' project.
6. The sewerage entities submitted a schedule for construction of facilities necessary to discharge treated waste into Raccoon Strait .
7. Although bypassing still occurs, the sewerage entities have taken actions required in Cease and Desist Order No. 71-34 and will continue to work on eliminating bypassing.
8. As required by federal law, the Board adopted a National Pollutant Discharge Elimination System (NPDES) permit for the discharge on December 17, 1974. The permit was amended on May 4, 1976, July 19, 1977, December 19, 1978, and August 21, 1979. Waste discharge requirements were, in part, superseded by the NPDES permit and its amendments.

9. Order No. 71-13 and Cease and Desist Order No. 71-34 are out-of-date and no longer appropriate.
10. Tentative requirements covering the proposed waste discharge to Raccoon Strait and rescinding Order No. 71-13 have been prepared for the Board's consideration of adoption.
11. On October 16, 1979, at a meeting starting at 9:30 a.m. in the Assembly Room, State Building, 1111 Jackson Street, Oakland, after due notice to the discharger and all other affected persons, the Regional Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.

IT IS HEREBY ORDERED THAT:

This Board's Order No. 71-34 is rescinded.

I, Fred H. Dierker, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on October 16, 1979.

FRED H. DIERKER
Executive Officer